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Federal Communications Commission  
Federal Communications Commission  
Office of the Secretary

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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JUN 18 2004

Federal Communication Commission  
Bureau / Office

In the Matter of

Amendment of Section 73.202(b),  
Table of Allotments,  
FM Broadcast Stations.  
(Wilmington and Mount Sterling, Ohio)

MM Docket No. 04-161  
RM-10961

To: The Assistant Chief, Audio Division, Media Bureau

COUNTERPROPOSAL

Southeastern Ohio Broadcasting System, Inc. ("Southeastern"), the licensee of WHIZ-FM, Channel 273B, Zanesville, Ohio, by its attorneys, hereby submits its Counterproposal to the *Notice of Proposed Rulemaking* ("NPRM"), DA 04-1078, released April 27, 2004, in the above-captioned proceeding. In lieu of the allotment changes proposed in the *NPRM*, Southeastern proposes to (a) amend the FM Table of Allotments by downgrading Channel 273B to Channel 273B1 and reallocating Channel 273B1 from Zanesville to Baltimore, Ohio, as that community's first local service, and (b) modify the WHIZ-FM license to specify operation on Channel 273B1 at Baltimore, Ohio. The following changes to the FM Table of Allotments are therefore requested:

**Community**

**Channels**

Present

Proposed

Baltimore  
Zanesville

-----  
211A, 219A, 273B

273B1  
211A, 219A

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## I. CONFLICT WITH THE NPRM

In response to a petition filed by Vernon R. Baldwin, Inc. ("Baldwin"), the *NPRM* proposed the reallocation of Channel 272A from Wilmington, Ohio, to Mount Sterling, Ohio. This Counterproposal is in conflict with the Mount Sterling proposal. As indicated in the attached engineering, Channel 273B1 can be allotted to Baltimore in accordance with the Commission's spacing rules, except for the proposed allotment of Channel 272A to Mount Sterling. *See* Exhibit A. Accordingly, Southeastern's Counterproposal is properly considered in this proceeding.

The Commission compares conflicting proposals under the criteria set forth in *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982). In this case, the Counterproposal clearly should be preferred over the proposal set forth in the *NPRM*. Since both proposals offer a first local service to their respective communities, they fall under priority 3, where the larger community is favored. *See, e.g., Anniston, Alabama, et al.*, Report and Order, 15 FCC Rcd 9971 (2000). Mount Sterling is listed in the 2000 Census with a population of 1,865. Baltimore, however, has a significantly larger 2000 Census population of 2,881.

In addition, other public interest matters (priority 4) favor this Counterproposal. First, as demonstrated in the attached engineering, WHIZ-FM, operating on Channel 273B1 at Baltimore, Ohio, will provide 60 dBu service to 698,351 persons, representing a net gain of 383, 476 persons, or 122 percent.<sup>1</sup> *See* Exhibit A. The Mount Sterling proposal, however, would provide

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<sup>1</sup> This figure takes into account the creation of a loss area with a population of 193,557 persons. Some 5,884 persons in that loss area – a mere 3 percent of the population – will be left with fewer than five full-time services. Specifically, WHIZ-FM currently provides a second service to 1,778 persons; a third service to 3,168 persons; a fourth service to 455 persons; and a fifth service to 483 persons. The Commission has on a number of occasions, however, granted rulemaking proposals that result in similar service levels where the countervailing public interest benefits are entitled to more weight. *See, e.g., Washington and Watkinsville, Georgia*, DA 03-2825 (released September 5, 2003) (concluding that creation of a loss area in which 618 persons would be left with one full-time aural service was outweighed by the benefits that would result from the proposed reallocation, including a net gain of service to 111,798 persons); *accord Freer, Hebronville, and Orange Grove, Texas*, DA 04-717 (released March 19,

60 dBu service to only 85,266 persons. Second, grant of this Counterproposal will eliminate a grandfathered short spacing between WHIZ-FM and WDVE(FM), Channel 273B, Pittsburgh, Pennsylvania. The Commission has traditionally considered the elimination of such longstanding short spacings to be “a matter of great importance.” *Albemarle and Indian Trail, North Carolina*, 16 FCC Rcd 13876 (2001).

## II. COMPLIANCE WITH THE COMMISSION’S TECHNICAL RULES

As is demonstrated in the attached engineering statement, Channel 273B1 can be allotted to Baltimore in compliance with the Commission’s spacing rules, with a site restriction of 5.4 kilometers south of the community to avoid a short spacing to WVKO-FM, Channel 276A, Johnstown, Ohio. *See* Exhibit A. The geographic coordinates of the proposed allotment site are 39° 47' 51" North Latitude and 82° 36' 07" West Longitude. From this site, the proposed facility will provide a 70 dBu signal to all of Baltimore.<sup>2</sup> *Id.*

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(Continued . . .)

2004) (population of 178 persons left with one service considered de minimis in light of a gain in new service to 65,973 persons); *see also Detroit Lakes and Barnesville, Minnesota*, 16 FCC Rcd 22581 (2001) (granting reallocation where 1,458 persons in the loss area would receive four aural services; 449 persons would receive three services; and 54 persons would receive two services); *Ashland, Tennessee, et al.*, DA 04-1026 (April 19, 2004) (granting reallocation where 1,800 persons in the loss area would receive four aural services and 3,400 persons would receive three services). In this case, the obvious public interest benefits of the Counterproposal – provision of a first local service to Baltimore, new service to more than 383,000 persons, and the elimination of a grandfathered short spacing – clearly outweigh this loss of service, especially when 97 percent of the population in the loss area will continue to receive at least five full-time aural services.

Southeastern also observes that, although Baldwin, the proponent of the Mount Sterling reallocation, claims that its own loss area would continue to receive service from 13 full-time AM stations, this figure results from use of the wrong AM service contour. *See* Exhibit A. In fact, only 3 of the stations listed clearly provide service to all of the loss area. Moreover, although Baldwin also claims that an additional 20 AM and 24 FM stations provide service to at least part of the loss area, it has provided absolutely no documentary support for that claim.

<sup>2</sup> Baltimore is not part of any Urbanized Area, as designated by the United States Census. From the proposed reference site, the 70 dBu signal will cover only 8.1% of the Columbus, Ohio Urbanized Area. *See* Exhibit A. Accordingly, no discussion of the factors set forth in *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988) is required. As is demonstrated herein, however, Baltimore has numerous community attributes that establish its independence from Columbus.

In addition, the Counterproposal complies with the Commission's rules and policies under *Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 3870 (1989), recons. granted in part, 5 FCC Rcd 7094 (1990). First, the proposed use of Channel 273B1 at Baltimore, Ohio, conflicts with the current use of Channel 273B at Zanesville, Ohio. Second, Zanesville will continue to be served by stations WHIZ(AM), 1240 kHz, WOUZ-FM, Channel 211A, and WJIC(FM), Channel 219A. Thus, the Counterproposal will result in a preferential arrangement of allotments by providing a first local service to Baltimore while retaining three local services at Zanesville.

### **III. PROPOSED NEW COMMUNITY OF LICENSE**

The community of Baltimore, Ohio, is an independent community deserving of a first local service. It traces its history to 1825 and is listed in the 2000 Census with a population of 2,881 persons. The United States Postal Service zip code designation for Baltimore is 43105. Baltimore is governed by an elected mayor, clerk/treasurer, and a six-member village council. Appointed officials include a village administrator, solicitor, tax commissioner, and zoning administrator. Baltimore also has its own police department. It shares EMS and fire protection services with nearby Liberty Township, Ohio, with each community having a station. See Exhibit B.

Baltimore businesses, many of which have "Baltimore" in their names, such as the Baltimore Car Wash, Baltimore Child Care, Baltimore Builders Supply, Baltimore Chiropractic Clinic, Baltimore Lime & Excavation, and Baltimore Roofing, provide a wide array of services to residents of the community, including banking and medical services. The Baltimore Area Chamber of Commerce publishes a local business directory. The Baltimore Town Crier,

published every two weeks, covers items of interest to Baltimore and surrounding communities and carries advertisements of local businesses. *Id.*

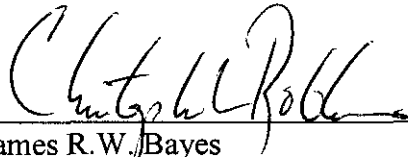
Baltimore is home to several houses of worship, such as the Baltimore United Methodist Church, Faith Lutheran Church, Mt. Zion United Church of Christ, and New Beginnings Baptist Church. The Liberty Union-Thurston school system, located in Baltimore, provides public school education from grades pre-kindergarten through high school to the children of Baltimore. The Baltimore Branch Library also provides learning resources to members of the community. *Id.*

#### IV. CONCLUSION

This Counterproposal will provide a first local service to Baltimore, Ohio, and should clearly be favored over the proposal set forth in the *NPRM*. Southeastern therefore respectfully requests that the Commission grant its Counterproposal. It hereby expresses its interest in the allotment of Channel 273B1 at Baltimore and confirms that will file an application for a construction permit to operate WHIZ-FM on that channel at Baltimore and build the facility as authorized if its Counterproposal is granted.

Respectfully submitted,

SOUTHEASTERN OHIO  
BROADCASTING SYSTEM, INC.

By:   
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Christopher L. Robbins

Of

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Its Attorneys

Dated: June 18, 2004

## **EXHIBIT A**

**COMMENTS AND COUNTERPROPOSAL**  
**MB DOCKET #04-161**  
**SOUTHEASTERN OHIO BROADCASTING SYSTEM, INC.**  
**RE-ALLOT CHANNEL 273B1**  
**BALTIMORE, OHIO**  
**June 2004**

**TECHNICAL STATEMENT**

1. This technical statement and attached exhibits have been prepared on behalf of Southeastern Ohio Broadcasting System, Inc. ("Southeastern"), licensee of WHIZ-FM, Channel 273B, Zanesville, Ohio. These comments and counterproposal are being submitted during the comment period of MB Docket #04-161. Vernon R. Baldwin, Inc. ("Baldwin"), is the petitioner in the aforementioned docket. Baldwin has requested that Channel 272A be re-allotted from Wilmington, Ohio, to Mount Sterling, Ohio, and that station WKLN be authorized to change its community of license. Southern requests that, in lieu of the proposed change suggested by Baldwin, Channel 273B be downgraded to Channel 273B1 and the channel be re-allotted to Baltimore, Ohio, as that community's first locally licensed FM station. It is noted that the proposed facility in Baltimore, Ohio, is mutually exclusive with the licensed WHIZ-FM facility in Zanesville. This re-allotment will also remove a grandfathered shortspace between WHIZ-FM and station WDVE, Channel 273B, Pittsburgh, Pennsylvania.

**PROPOSAL**

2. Channel 273B1 can be allotted to Baltimore, Ohio, with a site restriction 5.4 kilometers south of the community to avoid shortspacing to WVKO-FM, Channel 276A,



Johnstown, Ohio. The geographic coordinates for the proposed allocation site are North Latitude 39° 47' 51" and West Longitude 82° 36' 07". Exhibit #1 is a map depicting where a transmitter site for Channel 273B1 can be located and meet the Commission's rules (not considering the proposed allotment to Mount Sterling, Ohio, as initially proposed in MB Docket #04-161). Exhibit #2 is a §73.207 spacing study from the proposed site, demonstrating that Channel 273B1 meets the Commission's minimum distance separation requirements to all licensed, applied for or proposed facilities (with the exception of the proposed Mount Sterling, Ohio, allotment). From the proposed reference site, a 3.16 mV/m contour will be placed over all of Baltimore, Ohio.

3. Therefore, Southeastern herein requests the following changes in §73.202(b) of the Commission's rules.

**Baltimore, Ohio**

Present	Proposed
None	273B1

**Zanesville, Ohio**

Present	Proposed
273B	None <sup>1</sup>

**Wilmington, Ohio**

Present	Proposed
272A	272A

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1) Full time AM station WHIZ, 1240 kHz, WOUZ-FM, Channel 211A, and WJIC, Channel 219A, will all remain licensed to Zanesville, Ohio.

## PUBLIC INTEREST

4. The allotment of Channel 273B1 to Baltimore, Ohio, will provide that community of 2,881 persons with its first locally licensable service, without depriving Zanesville, Ohio, of its only local service, since WHIZ, 1240 kHz, WOUZ-FM, Channel 211A, and WJIC, Channel 219A, will all remain in Zanesville. A re-allotted WHIZ-FM, operating on Channel 273B1 at Baltimore, Ohio, will provide 60 dBu service to 698,351 persons in 4,802.9 square kilometers.<sup>2</sup> Once Channel 273B1 is allotted to Baltimore, Ohio, Southeastern will submit FCC Form 301 to implement the change in community of license.

5. As a result of the proposed change, the present 60 dBu contour of WHIZ-FM will be withdrawn from an area east of Zanesville, Ohio, which now receives service from the station. It is noted that WHIZ-FM, as presently authorized, has a grandfathered shortspace with co-channel station WDVE, Pittsburgh, Pennsylvania. As a result, as indicated on Exhibit #3, WHIZ-FM suffers from interference from WDVE within the 60 dBu contour of WHIZ-FM.<sup>3</sup> Therefore, the actual present population of the WHIZ-FM facility is 314,875 persons in 7,261.3 square kilometers.<sup>4</sup> The re-allotment will create a gain area of 577,033 persons in 3,071.6 square kilometers. There will also be a loss area in which there are 193,557 persons in 5,530.0 square kilometers. The gain area is presently receiving service from a minimum of five full-time

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- 2) Based on a maximum Class B1 facility operating with 25.0 kilowatts at 100 meters height above averaged terrain (assuming uniform terrain).
  - 3) The actual depth of interference caused to WHIZ-FM from WDVE is based on a ratio of desired-to-undesired of 40 dB. A point is established where these points meet, and the actual depth of interference is then determined.
  - 4) The population within the interference area is 6,011 persons in 219.6 square kilometers.

services. A map depicting the gain area is attached as Exhibit #4. A list of the stations serving the gain area is attached as Exhibit #4A. As such, the gain area is considered well-served. There are several areas which will lose service as a result of the proposed re-allotment. Some of these areas have less than five full time services.<sup>5</sup> As shown on Exhibits #5 through #7, the WHIZ-FM relocation will create a loss area, 5,884 persons in 279.6 square kilometers, where there are less than five full-time services.<sup>6</sup> The re-allotment will not create any white area coverage.<sup>7</sup>

6. Baltimore, Ohio, is not located in any Urbanized Area, as designated by the United States Census. However, the proposed reference site for WHIZ-FM at Baltimore is near the

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- 5) To determine services, all AM stations, and commercial and non-commercial FM stations in the area were reviewed. For AM Class A stations, the nighttime 0.5 mV/m contour was used for a service contour; all other AM stations nighttime interference free signals were calculated and used for service contributions. For FM commercial stations, maximum facilities were used for each Class, except A. Some Class A stations were considered 3.0 kilowatt Class A stations, while others were depicted as 6.0 kilowatt Class A stations, based on their operating facilities, or spacing review. There were no FM Class C stations considered in this submission. Any non-commercial FM station's 60 dBu reference contour was determined from its licensed facility. Aside from WHIZ-FM, and the AM facilities, the FM contours assumed uniform terrain.
  - 6) WHIZ-FM presently provides a second service to 1,778 persons in 12.7 square kilometers; a third service to 3,168 persons in 63.1 square kilometers; a fourth service to 455 persons in 62.7 square kilometers; and a fifth service to 483 persons in 141.1 square kilometers.
  - 7) A review of the technical portion of the proposed Baldwin petition indicates that as a result of the re-allotment of Channel 272A from Wilmington, Ohio, to Mount Sterling, Ohio, no area presently receiving service from the station will retain service. Our review indicates that some 57,119 persons in 1,731.6 square kilometers receive service from the WKLN 60 dBu contour operating in Wilmington. A re-allotted WKLN, operating from the reference site proposed in the notice, will provide service to 85,266 persons in 2,516.1 square kilometers. Baldwin claims that both the entire gain and loss areas receive service from 13 AM stations. A list of the stations is attached to the original petition. Baldwin also claims that there are an additional 20 AM stations and 24 FM stations which serve a portion of the gain and loss areas.

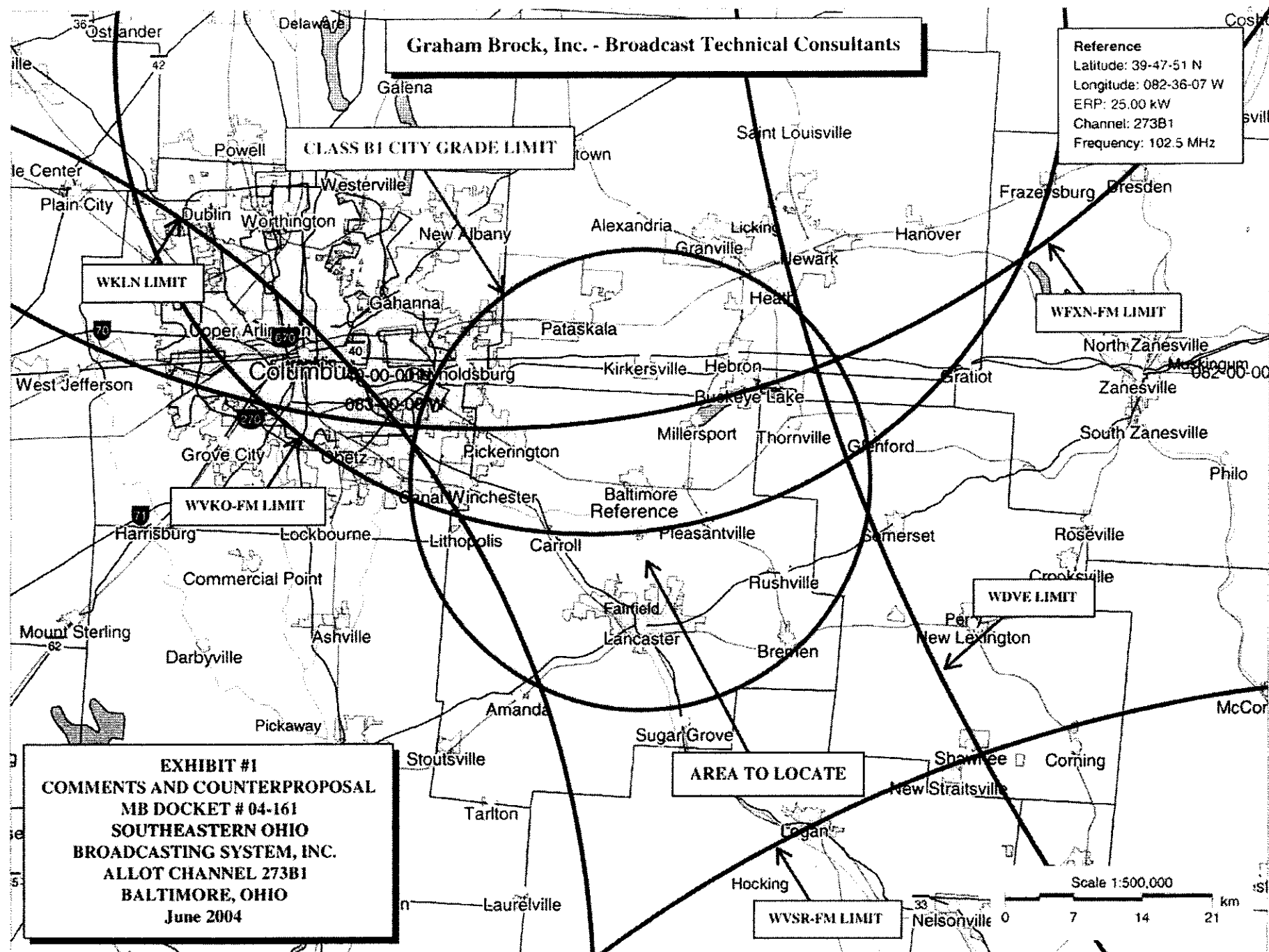
The Commission has specific guidelines for services to be considered in gain and loss area studies in a Petition for Rule Making. The Commission has stated that the service contour for Class A AM stations for rule making cases is the 0.5 mV/m groundwave. The service contours of all other classes of AM stations are their nighttime interference-free contours. It appears that Baldwin's claim of 13 AM stations is based on the use of the 0.5 mV/m daytime contour of each station. Of the stations listed, WKFI, Wilmington, Ohio, and WRFD, Columbus-Worthington, Ohio, have no nighttime service. Further, only WHAS, Louisville, Kentucky, WLW, Cincinnati, Ohio, and WSAI, Cincinnati, Ohio, are Class A stations. The remainder of the stations have substantially less coverage, based on their respective nighttime interference-free contours.

Columbus, Ohio, Urbanized Area. From the proposed allocation reference site, a 70 dBu signal will cover only 8.1% of the Columbus, Ohio, Urbanized Area, as shown on Exhibit #8.<sup>8</sup> Since the coverage is well below the 50% threshold, no further analysis of the impact to the Urbanized Area is necessary.

7. The foregoing technical statement was prepared on behalf of Southeastern Ohio Broadcasting System, Inc., by Graham Brock, Inc., its Technical Consultants. All data related to FM facilities was extracted from the CDBS database and all population data was extracted from the 2000 Census database. We assume no liability for errors or omissions in those databases that may be adverse to the requests contained herein.

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8) As determined by polar planimeter.



**COMMENTS AND COUNTERPROPOSAL**  
**MB DOCKET #04-161**  
**SOUTHEASTERN OHIO BROADCASTING SYSTEM, INC.**  
**RE-ALLOT CHANNEL 273B1**  
**BALTIMORE, OHIO**  
**June 2004**

**EXHIBIT #2**

Allocation Study for Baltimore, Ohio  
Using Proposed Site as Reference

REFERENCE	CLASS = B1	DISPLAY DATES
39 47 51 N	Current	DATA 06-11-04
82 36 07 W	Spacings	SEARCH 06-15-04
----- Channel 273 - 102.5 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
N. Lat.	W. Lng.	Ant	Power	HAAT		
<b>WHIZFM</b>	<b>LIC-Z 273B</b>	<b>Zanesville</b>	<b>OH 54.72</b>	<b>74.4</b>	<b>211.0</b>	<b>-156.28</b>
	<b>39 55 42</b>	<b>81 59 07 ZCX</b>	<b>50.000 kW</b>	<b>151 M</b>		
	<b>Southeastern Ohio Broad.</b>		<b>BLH-20020628ABX</b>			
 * RADD	<b>ADD 272A</b>	<b>Mount Sterling</b>	<b>OH 58.20</b>	<b>246.5</b>	<b>96.0</b>	<b>-37.80</b>
	<b>39 35 16</b>	<b>83 13 26</b>	<b>6.000 kW</b>	<b>100 M</b>		
	<b>Vernon R. Baldwin, Inc.</b>					
 WVKOFM	<b>LIC 276A</b>	<b>Johnstown</b>	<b>OH 48.14</b>	<b>354.2</b>	<b>48.0</b>	<b>0.14</b>
	<b>40 13 44</b>	<b>82 39 32 CN</b>	<b>1.600 kW</b>	<b>135 M</b>		
	<b>Stop 26 Riverbend Licenses</b>		<b>BLH-19900227KF</b>			
 WFXNFM	<b>LIC 272A</b>	<b>Galion</b>	<b>OH 107.75</b>	<b>351.6</b>	<b>96.0</b>	<b>11.75</b>
	<b>40 45 26</b>	<b>82 47 23 CN</b>	<b>3.500 kW</b>	<b>131 M</b>		
	<b>Capstar TX Limited Partnership</b>		<b>BLH-19920511KE</b>			
 RDEL	<b>DEL 272A</b>	<b>Wilmington</b>	<b>OH 111.16</b>	<b>244.7</b>	<b>96.0</b>	<b>15.16</b>
	<b>39 21 54</b>	<b>83 46 08</b>	<b>6.000 kW</b>	<b>100 M</b>		
	<b>Vernon R. Baldwin, Inc.</b>					
 WKLN	<b>LIC 272A</b>	<b>Wilmington</b>	<b>OH 111.16</b>	<b>244.7</b>	<b>96.0</b>	<b>15.16</b>
	<b>39 21 54</b>	<b>83 46 08 CN</b>	<b>3.000 kW</b>	<b>91 M</b>		
	<b>Vernon R. Baldwin Inc.</b>		<b>BMLH-19880617KA</b>			
 WDVE	<b>LIC 273B</b>	<b>Pittsburgh</b>	<b>PA 233.27</b>	<b>69.7</b>	<b>211.0</b>	<b>22.27</b>
	<b>40 29 38</b>	<b>80 01 09 CN</b>	<b>55.000 kW</b>	<b>250 M</b>		
	<b>Capstar TX Limited Partnership</b>		<b>BMLH-19900323KB</b>			
 WJIC	<b>LIC-D 219A</b>	<b>Zanesville</b>	<b>OH 38.19</b>	<b>60.2</b>	<b>12.0</b>	<b>26.19</b>
	<b>39 58 02</b>	<b>82 12 49 DC</b>	<b>6.000 kW</b>	<b>100 M</b>		
	<b>VCY/America, Inc.</b>		<b>BLED-20001214AJI</b>			
 WMDHFM	<b>LIC 273B</b>	<b>New Castle</b>	<b>IN 239.60</b>	<b>277.8</b>	<b>211.0</b>	<b>28.60</b>
	<b>40 03 18</b>	<b>85 23 05 CN</b>	<b>50.000 kW</b>	<b>152 M</b>		
	<b>Citadel Broadcasting Company</b>		<b>BLH-19790912AC</b>			
 WVSRFM	<b>LIC 274B</b>	<b>Charleston</b>	<b>WV 179.15</b>	<b>153.0</b>	<b>145.0</b>	<b>34.15</b>
	<b>38 21 26</b>	<b>81 40 05 CN</b>	<b>50.000 kW</b>	<b>123 M</b>		
	<b>Bristol Broadcasting Company</b>		<b>BMLH-19990222KD</b>			
 WEBN	<b>LIC-N 274B</b>	<b>Cincinnati</b>	<b>OH 180.16</b>	<b>245.7</b>	<b>145.0</b>	<b>35.16</b>
	<b>39 06 59</b>	<b>84 30 07 NCN</b>	<b>16.000 kW</b>	<b>264 M</b>		
	<b>Jacor Broadcasting Corporation</b>		<b>BLH-19981112KL</b>			

\* Note: This proposal is a counterproposal to the Mount Sterling, Ohio request.

# Graham Brock, Inc. - Broadcast Technical Consultants

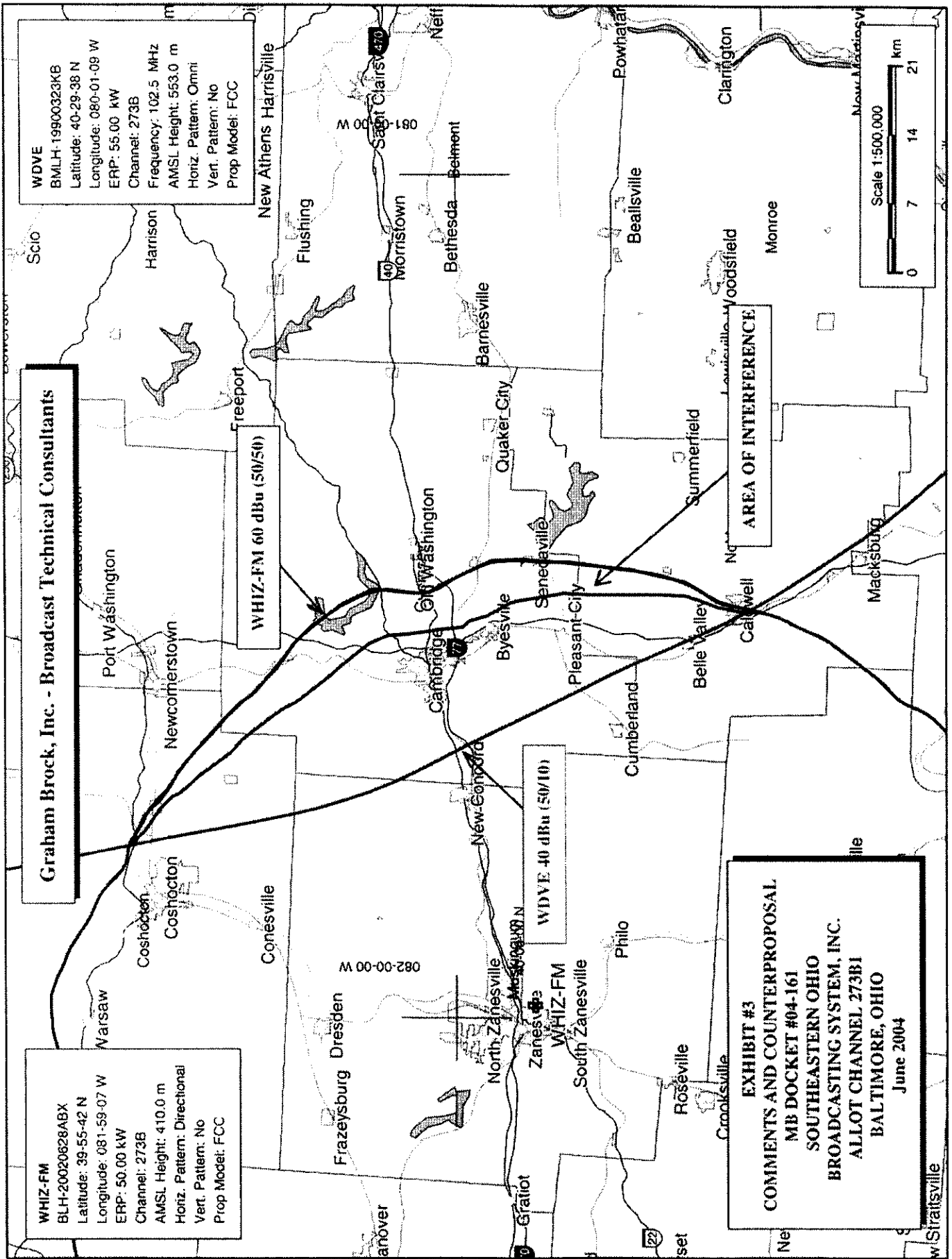
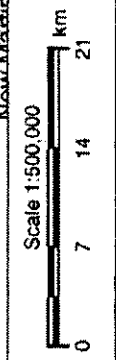
**WDVE**  
 BMLH-19900323KB  
 Latitude: 40-29-38 N  
 Longitude: 080-01-09 W  
 ERP: 55.00 kW  
 Channel: 273B  
 Frequency: 102.5 MHz  
 AMSL Height: 553.0 m  
 Horiz. Pattern: Omni  
 Vert. Pattern: No  
 Prop Model: FCC

**WHIZ-FM**  
 BLH-20020628ABX  
 Latitude: 39-55-42 N  
 Longitude: 081-59-07 W  
 ERP: 50.00 kW  
 Channel: 273B  
 AMSL Height: 410.0 m  
 Horiz. Pattern: Directional  
 Vert. Pattern: No  
 Prop Model: FCC

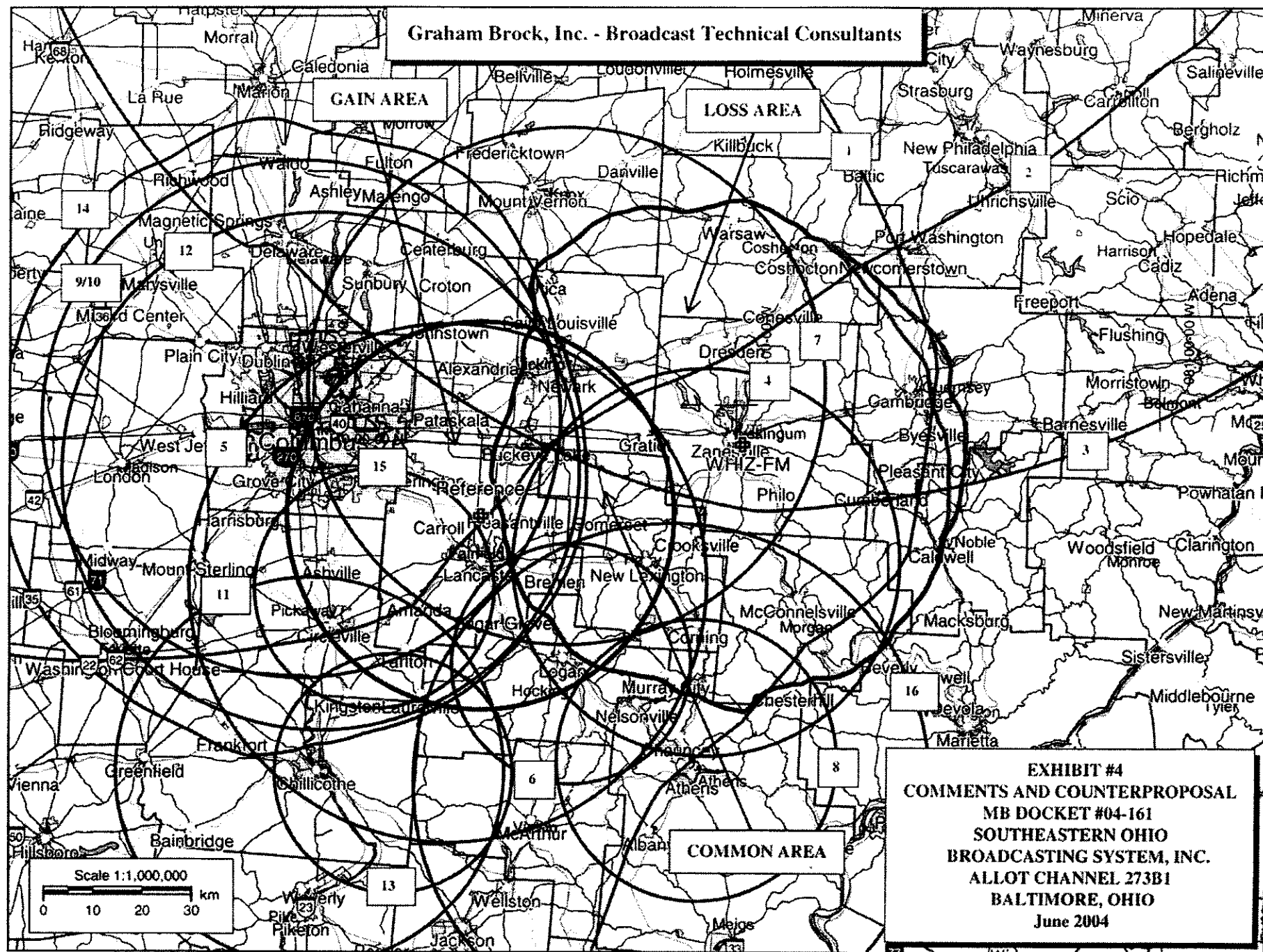
WHIZ-FM 60 dBu (50/50)

WDVE 40 dBu (50/10)

**EXHIBIT #3**  
**COMMENTS AND COUNTERPROPOSAL**  
**MB DOCKET #04-161**  
**SOUTHEASTERN OHIO**  
**BROADCASTING SYSTEM, INC.**  
**ALLOT CHANNEL 273B1**  
**BALTIMORE, OHIO**  
 June 2004



**Graham Brock, Inc. - Broadcast Technical Consultants**



**EXHIBIT #4**  
**COMMENTS AND COUNTERPROPOSAL**  
**MB DOCKET #04-161**  
**SOUTHEASTERN OHIO**  
**BROADCASTING SYSTEM, INC.**  
**ALLOT CHANNEL 273B1**  
**BALTIMORE, OHIO**  
**June 2004**

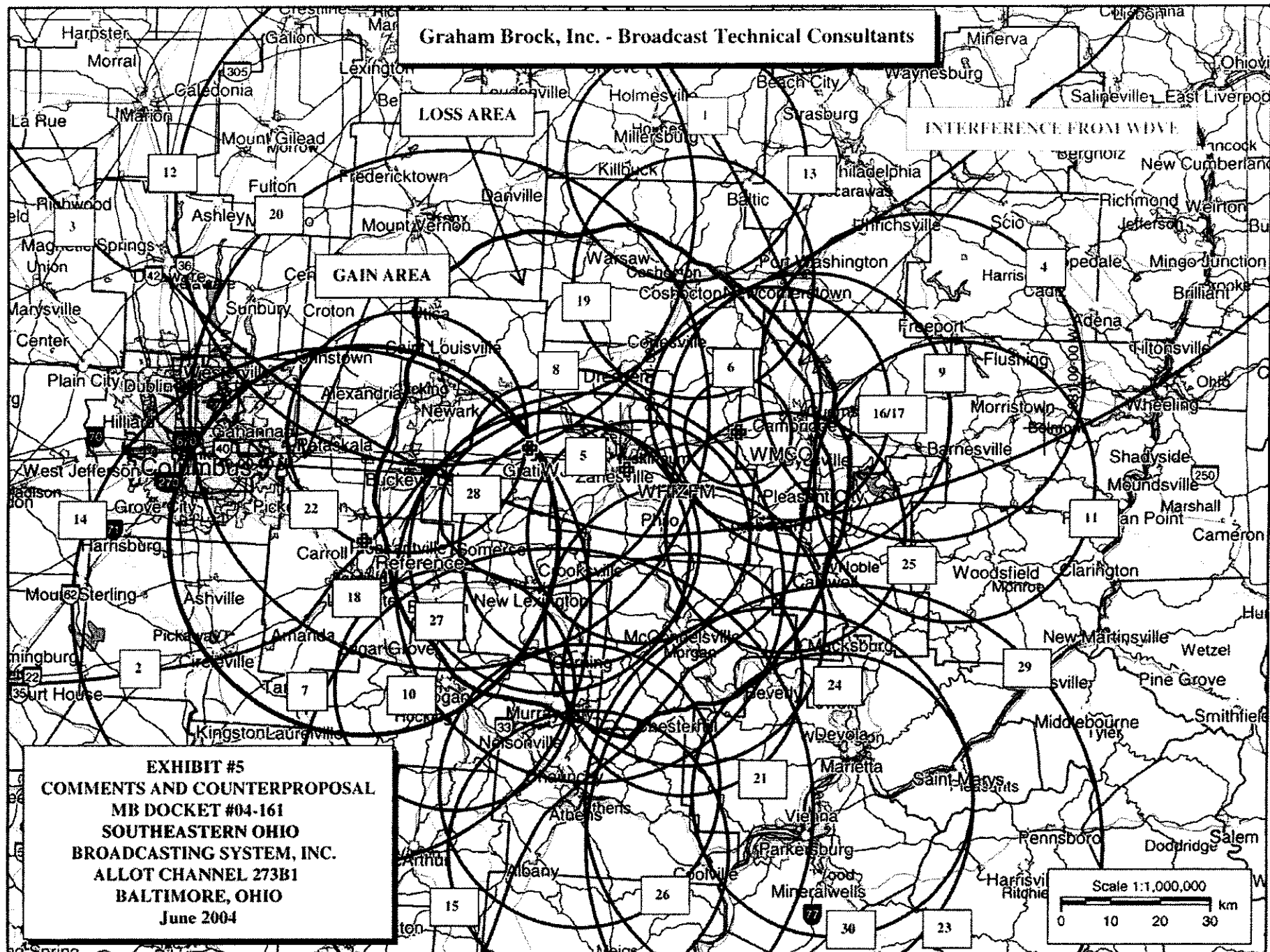


**COMMENTS AND COUNTERPROPOSAL**  
**MB DOCKET #04-161**  
**SOUTHEASTERN OHIO BROADCASTING SYSTEM, INC.**  
**RE-ALLOT CHANNEL 273B1**  
**BALTIMORE, OHIO**  
**June 2004**

**EXHIBIT #4A**

**Tabulation of FM Stations in WHIZ-FM Gain Area**

<b><u>#</u></b>	<b><u>Call Sign</u></b>	<b><u>Channel/Class</u></b>	<b><u>City/State</u></b>
1	WLW	700 / A	Cincinnati, OH
2	WJR	760 / A	Detroit, MI
3	WTAM	1100 / A	Cleveland, OH
4	WCVZ	224B1	South Zanesville, OH
5	WHOK-FM	238B	Lancaster, OH
6	WLGN-FM	252A	Logan, OH
7	WCLT-FM	262B	Newark, OH
8	WXTQ	288A	Athens, OH
9	WSNY	234B	Columbus, OH
10	WLVQ	242B	Columbus, OH
11	WKKJ	232B1	Chillicothe, OH
12	WLZT (CP)	227B	Ashville, OH
13	WOUH-FM	220A	Chillicothe, OH
14	WNCI	250B	Columbus, OH
15	WAZU	296A	Circleville, OH
16	WOUB-FM	217B	Athens, OH



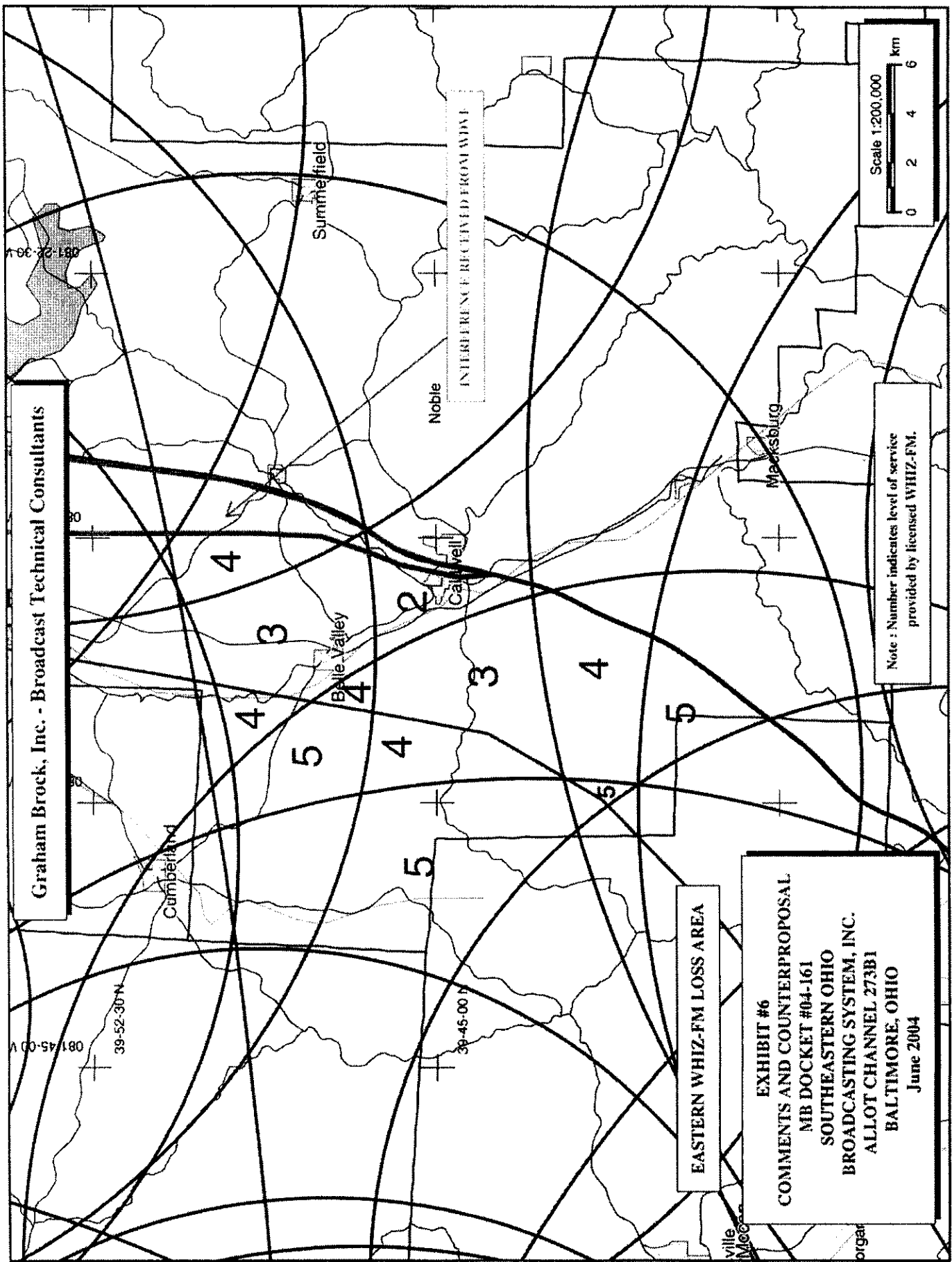
**COMMENTS AND COUNTERPROPOSAL**  
**MB DOCKET #04-161**  
**SOUTHEASTERN OHIO BROADCASTING SYSTEM, INC.**  
**RE-ALLOT CHANNEL 273B1**  
**BALTIMORE, OHIO**  
**June 2004**

**EXHIBIT #5A**

**Tabulation of FM Stations in WHIZ-FM Loss Area**

<b><u>#</u></b>	<b><u>Call Sign</u></b>	<b><u>Channel/Class</u></b>	<b><u>City/State</u></b>
1	WLW	700 / A	Cincinnati, OH
2	WJR	760 / A	Detroit, MI
3	WTAM	1100 / A	Cleveland, OH
4	WOUC-FM	206B1	Cambridge, OH
5	WOUZ-FM	211A	Zanesville, OH
6	WMCO	214A	New Concord, OH
7	WOUB-FM	217B	Athens, OH
8	WJIC	219A	Zanesville, OH
9	WBIK	221A	Pleasant City, OH
10	WCVZ	224B1	South Zanesville, OH
11	WBNV	228A	Barnesville, OH
12	WQIO	229B	Mount Vernon, OH
13	WKLM	237A	Millersburg, OH
14	WHOK-FM	238B	Lancaster, OH
15	WJKW	240A	Athens, OH
16	WCMJ	244A	Cambridge, OH
17	WILE-FM	249A	Byesville, OH
18	WLGN-FM	252A	Logan, OH
19	WTNS-FM	257A	Coshocton, OH
20	WCLT-FM	262B	Newark, OH
21	WJAW-FM	265A	McConnelsville, OH
22	WNKO	269A	Newark, OH
23	WRVB	271B1	Marietta, OH
24	New FM	279A	McConnelsville, OH
25	WWKC	285A	Caldwell, OH
26	WXTQ	288A	Athens, OH
27	WWJM	290A	New Lexington, OH
28	WYBZ	297A	Crooksville, OH
29	WXIL	236B	Parkersburg, WV
30	WVVV	245A	Williamsburg, WV

Graham Brock, Inc. - Broadcast Technical Consultants



Scale 1:200,000



Note : Number indicates level of service provided by licensed WHIZ-FM.

EASTERN WHIZ-FM LOSS AREA

EXHIBIT #6  
COMMENTS AND COUNTERPROPOSAL  
MB DOCKET #04-161  
SOUTHEASTERN OHIO  
BROADCASTING SYSTEM, INC.  
ALLOT CHANNEL 273B1  
BALTIMORE, OHIO  
June 2004

Graham Brock, Inc. - Broadcast Technical Consultants

081-45-00 W

081-55-00 V

081-55-00 V

082-00-00 V

082-05-00 W

40-10-00 N

40-05-00 N

Dresden

razesburg

New Concord

Scale 1:150,000

km

0 2 4 6

Note : Number indicates level of service  
being provided by licensed WHIZ-FM

NORTHERN WHIZ-FM LOSS AREA

EXHIBIT #7  
COMMENTS AND COUNTERPROPOSAL  
MB DOCKET #04-161  
SOUTHEASTERN OHIO  
BROADCASTING SYSTEM, INC.  
ALLOT CHANNEL 273B1  
BALTIMORE, OHIO  
June 2004

**ALLOCATION SITE 70 dBu**

EXHIBIT #8  
COMMENTS AND COUNTERPROPOSAL  
MB DOCKET #04-161  
SOUTHEASTERN OHIO  
BROADCASTING SYSTEM, INC.  
RE-ALLOTT CHANNEL 273B1  
BALTIMORE, OHIO  
June 2004

**AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT**

State of Georgia    )  
St. Simons Island    ) ss:  
County of Glynn    )

**JEFFERSON G. BROCK**, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Southeastern Ohio Broadcasting System, Inc., to prepare the attached Technical Exhibit.


His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

*This the 15th day of June, 2004.*

  
\_\_\_\_\_  
Jefferson G. Brock  
Affiant

Sworn to and subscribed before me  
this the 15th day of June, 2004.

  
\_\_\_\_\_  
Notary Public, State of Georgia  
My Commission Expires September 3, 2007